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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE, Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

2011 MAR 22 A 9:13

Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION
DOCKET CONTROL

MAR 22 2011

DOCKETED BY

VIKTOR PETER POLIVKA,

DOCKET NO. E-01933A-10-0340

COMPLAINANT,

vs.

TUCSON ELECTRIC POWER COMPANY,

RESPONDENT.

PROCEDURAL ORDER

BY THE COMMISSION:

On August 11, 2010, Viktor Peter Polivka ("Complainant") filed with the Arizona Corporation Commission ("Commission") a Complaint ("Complaint") against Tucson Electric Power Company ("Respondent").

On September 3, 2010, the Respondent filed its Answer to Formal Complaint and Motion to Dismiss.

Pursuant to a Procedural Order filed November 30, 2010, a hearing was convened on March 3, 2011; however, the hearing was not completed, and a Procedural Order was filed March 9, 2011, setting April 5, 2011, as the continuation date for the hearing.

On March 11, 2011, the Respondent filed a Motion to Continue ("Motion"). According to the Motion, one the witnesses requested by the Administrative Law Judge to be present at hearing is not available to testify on that date, and the Respondent requests that the hearing be continued.

On March 18, 2011, a Procedural Order was issued granting the Motion and setting the hearing for April, 20, 2011.

Due to a scheduling conflict, the hearing shall be moved from April 20, 2011, to April 19, 2011.

IT IS THEREFORE ORDERED that the hearing currently scheduled to re-convene on

1 April 20, 2011, is vacated.

2 IT IS FURTHER ORDERED that the **hearing shall re-convene on April 19, 2011,**
3 **beginning at 10:00 a.m.,** in Room 222, 400 West Congress, Tucson, Arizona.

4 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
5 Communications) applies to this proceeding as the matter is set for public hearing.

6 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
7 of the Arizona Supreme Court and A.R.S. §40-243 with respect to practice of law and admission *pro*
8 *hac vice*.

9 IT IS FURTHER ORDERED that that the Presiding Officer may rescind, alter, amend, or
10 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
11 hearing.

12 DATED this 21st day of March, 2011.

13
14 
15 BELINDA A. MARTIN
16 ADMINISTRATIVE LAW JUDGE

17 Copies of the foregoing mailed
18 this 21st day of March, 2011, to:

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